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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/712,922	11/13/2003	Chan-Min Ma	CU-3451 RJS	9873

26530 7590 09/22/2005

LADAS & PARRY LLP
224 SOUTH MICHIGAN AVENUE
SUITE 1600
CHICAGO, IL 60604

EXAMINER

WUJCIAK, ALFRED J

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/712,922	Applicant(s) MA, CHAN-MIN	
	Examiner Alfred Joseph Wujciak III	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2003.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-15 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 13 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/18/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This is the first Office Action for the serial number 10/712,922, COLLAPSIBLE SUPPORTING DEVICE FOR A PORTABLE COMPUTER, filed on 11/13/03.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, line 21, "third and fourth" is indefinite because the applicant claimed "first and second axes" in line 11 and that "third and fourth" can not be used on the "first and second axes", it should be changed to ---first and second--- for clarification.

Claim 2, lines 2-3, "wherein said first and second axes are coaxial with said third and fourth axes," should be changed to ---wherein said first and second axes are coaxial to each other--- for clarification.

Claims 2-15 are rejected as depending on rejected claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are

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such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 7, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 4,943,021 to Cien et al. in view of US Patent # 5,505,413 to Hennessey.

Cien et al. teaches a collapsible supporting device (figure 3) comprising a coupling seat (22) having a surface, first and second end portions opposite in a direction and a pair of elongate base members (18) being pivotal to the first and second end portions of the coupling seat. The base member includes pivot end connected to the coupling seat and first abutting end forming with a stopping block (52). The device includes a pair of elongate interconnecting member (16) having a second pivot end connected pivotally to a corresponding one of the first and second end portion of the coupling seat. The interconnecting member includes a coupling end (50) opposite to the second pivot end. The base members are formed from a metal plate (aluminum, col. 1, line 39).

Cien et al. teaches all elements above but fails to teach the device includes a pair of foldable elongate supporting member coupled to the coupling end of the interconnecting member. Hennessey teaches the pair of foldable elongate support member (34') coupled to the coupling end of the interconnecting member (10'). The elongate support member having second abutting ends provided with anti-slip pad (43). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added pair of elongate supporting member to Cien's device as taught by Hennessey to improve stability of the device when supporting a heavy object.

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Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cien et al. in view of Hennessey and in further view of US Patent # 6,283,421 to Eason et al.

Cien et al. in view of Hennessey teaches the supporting members but fails to teach the supporting members are telescopic. Eason teaches the supporting member (1) is telescopic. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Cien et al. in view of Hennessey's supporting member with telescopic as taught by Eason to provide adjustable length in supporting member to increase or decrease stabilization of the device.

Allowable Subject Matter

Claims 3-6 and 10, 12-15 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

In regard to claim 3, the prior art fails to teach a connecting block interconnecting the upper and lower walls and cooperating with the upper and lower walls so as to confine a mounting space for receiving the first pivot end of the base member and the second pivot ends of the interconnecting members. In regards to claim 4, the prior art fails to teach each of the interconnecting members is a telescopic member. In regard to claims 5-6, the prior art fails to teach each of the interconnecting members includes an inner tube having the second pivot end and outer tube sleeved movably on the inner tube and having coupling end. In regards to claim 10, the prior art fails to teach each of the supporting members is adjusted to have a desired height when the supporting device is disposed in the first supporting position. In regard to claims 12-

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15, the prior art fails to teach each of the supporting members is adapted to abut against the rear portion of the portable computer.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent # 2,522,345 to Cashiopp

US Patent # 3,984,074 to Forman et al.

US Patent # 4,050,658 to Forman et al.

US Patent # 5,129,616 to Caron

US Patent # 5,511,758 to Hsu

US Patent # 6,017,012 to Henson, Jr.

US Patent # 6,098,952 to Tonn

US Patent Application Publication # 2003/0001065 to Ng

US Patent # 2,464,031 to Fiedel

US Patent # 5,660,117 to Noble

US Patent # 6,722,617 to Wilfer

US Patent # D436,465 to Berkman

US Patent # 6,412,742 to Yu

US Patent # 5,624,097 to Potter

US Patent # 3,417,954 to Croninger

US Patent # 5,720,465 to Peltzer et al.

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Cashiopp, Forman et al., Caron, Hsu, Henson, Jr., Tonn, Ng, Fiedel, Noble, Wilfer, Berkman, Yu, Potter, Croninger and Pletzer et al. teach foldable stand/table.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski can be reached on (571) 272-6815. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alfred Joseph Wujciak III
Examiner
Art Unit 3632



9/15/05